

recting the order in which said survey and reports shall be made; providing for an appropriation to carry out the provisions of this Act, declaring an emergency," being a bill on the same subject.

The bill was read second time.

Senator Holbrook moved to adopt the minority adverse report.

Senator Baugh raised the point of order that the bill had not been on the members' desks twenty-four hours.

The Chair overruled the point of order, holding that a Senate bill on the same subject had been printed for several days.

Adjournment.

On motion of Senator Holbrook, the Senate at 10:35 a. m. adjourned until 10 o'clock a. m. next Monday.

APPENDIX.

Committee Reports.

Senate Chamber,
Austin, Texas, June 2, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 10 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,
Austin, Texas, June 2, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 9 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

TWELFTH DAY.

Senate Chamber,
Austin, Texas,
Monday, June 4, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Baugh.	Pollard.
Burkett.	Rice.
Cousins.	Rogers.
Doyle.	Strong.
Fairchild.	Stuart.
Floyd.	Turner.
Holbrook.	Watts.
Lewis.	Wirtz.
McMillin.	Wood.
Murphy.	Woods.

Absent—Excused.

Bledsoe.	Davis.
Bowers.	Ridgeway.
Clark.	Thomas.
Darwin.	Witt.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

Excused.

Senator Davis for today and tomorrow, on account of important business, on motion of Senator Doyle.

Senator Thomas for today, on account of important business, on motion of Senator Strong.

Senator Bowers for today, on account of important business, on motion of Senator Rogers.

Senators Clark, Darwin, Ridgeway and Witt for today and tomorrow, on account of important business, on motion of Senator Bailey.

H. B. No. 35 on Passage to Third Reading.

The Chair laid before the Senate as pending business, on its passage to third reading, H. B. No. 35, reducing appropriation for a topographic and hydrographic survey of the stream watersheds of the State, with a motion by Senator Holbrook to adopt the minority adverse report, pending.

(Senator Wirtz in the Chair.)

Senator Rogers moved the previous question on the minority report and the main question was ordered.

Yeas and nays were demanded, and the motion to adopt the minority report was lost by the following vote:

Yeas—6.

Bailey.	Stuart.
Baugh.	Watts.
Holbrook.	Wirtz.

Nays—14.

Cousins.	Parr.
Doyle.	Pollard.
Fairchild.	Rogers.
Floyd.	Strong.
Lewis.	Turner.
McMillin.	Wood.
Murphy.	Woods.

Absent—Excused.

Bledsoe.	Davis.
Bowers.	Thomas.
Clark.	Witt.

(Pairs Recorded.)

Senator Burkett (present), who would vote yea; with Senator Thomas (absent), who would vote nay.

Senator Rice (present), who would vote nay; with Senator Ridgeway (absent), who would vote yea.

(Lieutenant Governor T. W. Davidson in the Chair.)

Senator Baugh offered the following amendment to the bill:

Amend H. B. No. 35, as printed in the Senate Journal on June 1, 1923, on page 100, column 2, by striking out in Section 1 thereof, where same first appear, the words:

"There is hereby appropriated the sum of \$50,000.00 per annum to the State Board of Water Engineers" and inserting in lieu thereof the following:

"There is hereby appropriated the sum of \$200,000.00 for the first year to the State Board of Water Engineers, and \$50,000.00 for the second year."

Senator Fairchild offered the following amendment to the amendment:

Amend the amendment by striking out the figures "\$200,000.00" wherever they appear in said amendment, and insert in lieu thereof the figures "\$100,000.00."

Senator Stuart moved to table the amendment to the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—11.

Bailey.	Murphy.
Baugh.	Rice.
Doyle.	Watts.
Holbrook.	Wirtz.
Lewis.	Woods.
McMillin.	

Nays—7.

Cousins.	Strong.
Fairchild.	Turner.
Floyd.	Wood.
Parr.	

Absent—Excused.

Bowers.	Thomas.
Davis.	Witt.

(Pairs Recorded.)

Senator Burkett (present), who would vote yea; with Senator Thomas (absent), who would vote nay.

Senator Rogers (present), who would vote nay; with Senator Ridgeway (absent), who would vote yea.

Senator Stuart (present), who would vote yea; with Senator Clark (absent), who would vote nay.

Senator Pollard (present), who would vote nay; with Senator Bledsoe (absent), who would vote yea.

Question then recurred on the amendment by Senator Baugh.

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—9.

Bailey.	Parr.
Baugh.	Turner.
Holbrook.	Watts.
Lewis.	Wirtz.
Murphy.	

Nays—10.

The Chair.	McMillin.
Cousins.	Rogers.
Doyle.	Strong.
Fairchild.	Wood.
Floyd.	Woods.

Absent—Excused.

Bledsoe.	Davis.
Darwin.	Witt.

(Pairs Recorded.)

Senator Burkett (present), who would vote yea; with Senator Thomas (absent), who would vote nay.

Senator Pollard (present), who would vote nay; with Senator Bowers (absent), who would vote yea.

Senator Stuart (present), who would vote yea; with Senator Clark (absent), who would vote nay.

Senator Rice (present), who would vote nay; with Senator Ridgeway (absent), who would vote yea.

Senators Stuart, Baugh and Holbrook offered the following amendment to the bill:

Amend H. B. No. 35, as printed in the Senate Journal on June 1, 1923, on page 100, column 2, by striking out in Section 1 thereof, where same first appear, the words:

"There is hereby appropriated the sum of \$50,000.00 per annum to the State Board of Water Engineers," and inserting in lieu thereof the following:

"There is hereby appropriated the sum of \$150,000.00 for the first year to the State Board of Water Engineers, and \$50,000.00 for the second year."

Senator Floyd moved the previous question on the amendment and the passage of the bill to third reading, and the motion was seconded.

Question: Shall the main question be now put?

Recess.

On motion of Senator Bailey, the Senate at 12:05 p. m. recessed until 2 p. m. today.

Afternoon Session.

The Senate met at 2 p. m. and was called to order by Lieutenant Governor T. W. Davidson.

H. B. No. 35 on Passage to Third Reading.

The Chair laid before the Senate as pending business, on its passage to third reading, H. B. No. 35, reducing the appropriation for a topographic and hydrographic survey of the stream watersheds of the State, with amendment by Senators Baugh, Stuart and Holbrook, pending, and the previous question having been moved and seconded on the amend-

ment and the passage of the bill to third reading.

Question: Shall the main question be now put?

The motion was withdrawn.

Senator Floyd moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—9.

Cousins.	Rogers.
Doyle.	Strong.
Fairchild.	Turner.
Floyd.	Woods.
McMillin.	

Nays—9.

Bailey.	Parr.
Baugh.	Stuart.
Holbrook.	Watts.
Lewis.	Wirtz.
Murphy.	

Absent.

Pollard.

Absent—Excused.

Bowers.	Davis.
Clark.	Witt.
Darwin.	

(Pairs Recorded.)

Senator Burkett (present), who would vote nay; with Senator Thomas (absent), who would vote yea.

Senator Rice (present), who would vote yea; with Senator Ridgeway (absent), who would vote nay.

Senator Wood (present), who would vote yea; with Senator Bledsoe (absent), who would vote nay.

Question then recurred on the amendment.

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—9.

Bailey.	Parr.
Baugh.	Stuart.
Holbrook.	Watts.
Lewis.	Wirtz.
Murphy.	

Nays—10.

Cousins.	Rice.
Doyle.	Rogers.
Fairchild.	Strong.
Floyd.	Turner.
McMillin.	Woods.

Absent.

Pollard.

Absent—Excused.

Bowers. Davis.
Clark. Ridgeway.
Darwin. Witt.

(Pairs Recorded.)

Senator Wood (present), who would vote nay; with Senator Bledsoe (absent), who would vote yea.

Senator Burkett (present), who would vote yea; with Senator Thomas (absent), who would vote nay.

Senator Baugh offered the following amendment to the bill:

Amend H. B. No. 35, as printed in the Senate Journal on June 1, 1923, on page 100, column 2, by striking out the figures "\$50,000.00" wherever they occur, and inserting in lieu thereof the figures "\$75,000.00" in lieu of the first "\$50,000.00" item and "\$25,000.00" in lieu of the second "\$50,000.00" item, appropriated to the State Board of Water Engineers.

The amendment was adopted.

Senator Stuart offered the following amendment to the bill:

Amend H. B. No. 35, as printed in the Senate Journal on June 1, 1923, on page 100, column 2, by striking out in Section 1 thereof, where same first appear, the words:

"There is hereby appropriated the sum of \$75,000.00 per annum to the State Board of Water Engineers," and inserting in lieu thereof the following:

"There is hereby appropriated the sum of \$125,000.00 for the first year to the State Board of Water Engineers, and \$50,000.00 for the second year."

Senator Floyd moved the previous question on the amendment and the passage of the bill to third reading, and the main question was ordered.

(Senator Lewis in the Chair.)

Senator Murphy moved to reconsider the vote by which the main question was ordered.

Yeas and nays were demanded, and the motion to reconsider prevailed by the following vote:

Yeas—14.

Bailey. Parr.
Baugh. Pollard.
Burkett. Strong.
Doyle. Stuart.
Holbrook. Watts.
Lewis. Wirtz.
Murphy. Woods.

Nays—7.

Cousins. Rice.
Fairchild. Rogers.
Floyd. Turner.
McMillin.

Absent—Excused.

Bowers. Ridgeway.
Clark. Thomas.
Darwin. Witt.
Davis.

(Pair Recorded.)

Senator Wood (present), who would vote nay; with Senator Bledsoe (absent), who would vote yea.

Question then recurred: Shall the main question be now put?

The motion prevailed.

Question recurred on the amendment.

Yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—9.

Bailey. Parr.
Baugh. Watts.
Holbrook. Wirtz.
Lewis. Wood.
Murphy.

Nays—8.

Cousins. McMillin.
Doyle. Strong.
Fairchild. Turner.
Floyd. Woods.

Absent—Excused.

Darwin. Witt.
Davis.

(Pairs Recorded.)

Senator Rice (present), who would vote nay; with Senator Ridgeway (absent), who would vote yea.

Senator Stuart (present), who would vote yea; with Senator Clark (absent), who would vote nay.

Senator Burkett (present), who would vote yea; with Senator Thomas (absent), who would vote nay.

Senator Pollard (present), who would vote nay; with Senator Bowers (absent), who would vote yea.

Senator Rogers (present), who would vote nay; with Senator Bledsoe (absent), who would vote yea.

(Lieutenant Governor T. W. Davidson in the Chair.)

H. B. No. 35 was then passed to third reading.

H. B. No. 35—Motion to Suspend Constitutional Rule.

Senator Floyd moved to suspend the constitutional rule requiring bills to be read on three several days in each House, and place H. B. No. 35 on its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths majority:

Yeas—15.

Baugh.	Pollard.
Burkett.	Rogers.
Cousins.	Strong.
Doyle.	Stuart.
Fairchild.	Turner.
Floyd.	Wood.
Lewis.	Woods.
Parr.	

Nays—7.

Bledsoe.	Rice.
Bowers.	Watts.
Clark.	Wirtz.
Darwin.	

Absent—Excused.

Bailey.	Davis.
Holbrook.	Ridgeway.
McMillin.	Thomas.
Murphy.	Witt.

S. B. No. 3 on Engrossment.

Senator Wood called up S. B. No. 3, making appropriations for State educational institutions, which was read second time on May 30 and laid on the table subject to call.

The Chair laid the bill before the Senate, with the committee report carrying amendments. (Amendments printed on pages 46 to 65, inclusive, of the Senate Journal.)

Senator Woods moved to adopt the committee report carrying amendments.

Senator Wood offered the following amendment to the bill:

Amend the committee report by striking out the committee amendments.

Senator Fairchild moved to adjourn until 9:30 a. m. tomorrow, and the motion was lost.

Senator Rogers moved the previous question on the committee report and amendment, and the motion was seconded.

Question: Shall the main question be now put?

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—13.

Baugh.	Stuart.
McMillin.	Turner.
Murphy.	Watts.
Parr.	Wirtz.
Pollard.	Witt.
Rice.	Wood.
Rogers.	

Nays—10.

Bailey.	Floyd.
Burkett.	Holbrook.
Cousins.	Lewis.
Doyle.	Strong.
Fairchild.	Woods.

Absent—Excused.

Bledsoe.	Davis.
Bowers.	Ridgeway.
Clark.	Thomas.
Darwin.	

Message from the House.

Hall of the House of Representatives,
Austin, Texas, June 4, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. C. R. No. 11, Relating to the transfer of certain funds now in charge of the Comptroller of Public Accounts.

H. B. No. 66, A bill to be entitled "An Act to provide for the levy and collecting of a severance tax of five per centum on and of the value of skins or hides taken within this State from any fur-bearing animals mentioned in this Act; providing for the

issuance of trappers' licenses and the disposition of the license fees; defining offenses and prescribing penalties for the violation thereof; providing certain closed seasons on certain wild fur-bearing animals; making it the duty of the Game, Fish and Oyster Commissioner and his deputies to enforce the provisions; declaring all the wild fur-bearing animals of this State to be the property of the people of this State; repealing all laws in conflict herewith, and declaring an emergency," postponed indefinitely.

H. B. No. 60, A bill to be entitled "An Act amending Article 7542 as amended by the Acts of 1897, defining the duties of the tax assessor and his deputies, prescribing an oath to be administered to the tax payers and those who render property for taxation, and providing a penalty for failure to comply with the requirements of this Act."

H. B. No. 63, A bill to be entitled "An Act for the collection of inheritance taxes and empowering the Comptroller with authority to appoint suitable persons for that purpose and providing for their compensation; repealing all laws in conflict herewith, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (Lieutenant Governor T. W. Davidson) had referred, after their captions had been read, the following House bills:

H. C. R. No. 11, to the Committee on Finance.

H. B. No. 63, to the Committee on State Affairs.

H. B. No. 60, to the Committee on Criminal Jurisprudence.

Adjournment.

Senator Fairchild moved to adjourn until 9:30 a. m. tomorrow.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—14.

Bailey.	Holbrook.
Baugh.	Lewis.
Burkett.	McMillin.
Cousins.	Rice.
Doyle.	Strong.
Fairchild.	Watts.
Floyd.	Woods.

Nays—9.

Murphy.	Turner.
Parr.	Wirtz.
Pollard.	Witt.
Rogers.	Wood.
Stuart.	

Absent—Excused.

Bledsoe.	Davis.
Bowers.	Ridgeway.
Clark.	Thomas.
Darwin.	

Accordingly at 5:25 p. m., the Senate adjourned until 9:30 a. m. tomorrow.

THIRTEENTH DAY.

Senate Chamber,
Austin, Texas,

Tuesday, June 5, 1923.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Baugh.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Doyle.	Stuart.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent—Excused.

Bledsoe.	Davis.
Bowers.	Thomas.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.